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2 UNITED STATES DISTRICT COURT

3

Northern District of California

4

5 SCOTT RIEGER

No. C 11-04202 MEJ

6

Plaintiff(s),

7

v.

**SECOND ORDER DIRECTING  
PLAINTIFF TO FILE  
CONSENT/DECLINATION FORM**

8

AMERICAN EXPRESS

9

Defendant(s).

10

11 On September 23, 2011, the Court ordered the parties to file a written consent to magistrate  
12 judge jurisdiction. Plaintiff Scott Rieger has failed to comply. This civil case was randomly  
13 assigned to the undersigned magistrate judge for all purposes including trial. In accordance with 28  
14 U.S.C. § 636(c), the magistrate judges of this district court are designated to conduct any and all  
15 proceedings in a civil case, including trial and entry of final judgment, upon the consent of the  
16 parties. An appeal from a judgment entered by a magistrate judge may be taken directly to the  
17 United States Court of Appeals for the Ninth Circuit in the same manner as an appeal from any other  
18 judgment of a district court.

19

20 You have the right to have your case assigned to a United States District Judge for trial and  
21 disposition. Accordingly, Plaintiff Scott Rieger shall inform the Court, by way of the enclosed form,  
22 whether he consents to magistrate judge jurisdiction or requests reassignment to a United States  
23 District Judge for trial. The consent/declination form shall be filed by October 27, 2011. **Failure to**  
**comply with this Order may result in the imposition of sanctions.**

24

**IT IS SO ORDERED.**

25

Dated: October 19, 2011

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Maria-Elena James  
Chief United States Magistrate Judge

27

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IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

## SCOTT RIEGER

No. C 11-04202 MEJ

**Plaintiff(s),**

VS.

AMERICAN EXPRESS

**Defendant(s).**

**CONSENT TO PROCEED BEFORE A UNITED STATES MAGISTRATE JUDGE**

In accordance with the provisions of 28 U.S.C. § 636(c), the undersigned party hereby consents to have a United States Magistrate Judge conduct any and all further proceedings in this case, including trial, and order the entry of final judgment, and voluntarily waives the right to proceed before a United States District Judge.

Dated: \_\_\_\_\_

Signed by: \_\_\_\_\_

Counsel for: \_\_\_\_\_

**REQUEST FOR REASSIGNMENT TO A UNITED STATES DISTRICT JUDGE**

The undersigned party hereby declines to consent to the assignment of this case to a United States Magistrate Judge for trial and disposition, and hereby requests the reassignment of this case to a United States District Judge.

Dated:

Signed by:

Counsel for: \_\_\_\_\_

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UNITED STATES DISTRICT COURT  
FOR THE  
NORTHERN DISTRICT OF CALIFORNIA

SCOTT RIEGER

Case Number: 11-04202 MEJ

Plaintiff,

**CERTIFICATE OF SERVICE**

v.

AMERICAN EXPRESS

Defendant.

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on October 19, 2011, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Scott Rieger  
2697 Parkside Drive  
Fremont, CA 94536

Dated: October 19, 2011

Richard W. Wiking, Clerk  
By: Brenda Tolbert, Deputy Clerk